

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Finance Office 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.

**AGENDA FOR THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Monday, February 6, 2017**

ROLL CALL AND DETERMINATION OF QUORUM

INVOCATION (You are welcome to participate, but not required)

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

AWARDS AND RECOGNITIONS

1. Employee Recognition of Tyler Wilcox, Rapid City Fire Department

EXECUTIVE SESSION pursuant to SDCL 1-25-2(3) to consult with legal counsel about proposed or pending litigation.

STAFF DIRECTION - Direction regarding Rapid City v. Big Sky L.L.C.

GENERAL PUBLIC COMMENT

A time for the members of the public to discuss or express concerns to the Council on any issue not on the agenda. Action will not be taken at the meeting on any issue not on the agenda, except by placement on the agenda by unanimous vote of the Council members present.

NON-PUBLIC HEARING ITEMS -- Items 2 – 46

Open Public Comment – Items 2 – 43

Close Public Comment

CONSENT ITEMS – Items 2 – 43

Remove Items from the “Consent Items” and Vote on Remaining Consent Items

Approve Minutes

2. Approve Minutes for the January 17, 2017 Regular Council meeting.
3. Approve Minutes for the January 23, 2017 Special Council meeting.

Vacations of Right-Of-Way Set for Hearing (NONE)

Alcoholic Beverage License Applications Set for Hearing (February 21, 2017)

4. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event scheduled for March 14, 2017 at Liberty Dodge Ram, 1120 E Omaha Street

5. Main Street Square for a SPECIAL EVENT Malt Beverage and Wine License for Events scheduled for June 10, 2017 and August 13, 2017 at Main Street Square, 526 Main Street
6. Wal-East Development Inc. DBA Joker's Casino South III, 1320 Mt. Rushmore Rd #B for a Retail (on-sale) Liquor license TRANSFER from Wal-East Development Inc. DBA Wal-East Development Inc., 2205 N LaCrosse Street
7. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for March 16, 2017 at First Interstate Bank, 711 N. Creek Drive
- 7A. Black Hills Works / Flutter Productions for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for July 8, 2017 at Founders Park, 1520 W Omaha

Public Works Committee Consent Items

8. No. PW013117-21 – Confirm the Appointment of Rachel Caesar as Alternate #2 to the Planning Commission.
9. No. PW013117-02 – Authorize Staff to Advertise for Bids Tatanka Road Water Main Extension, Project No. 16-2357 / CIP No. 51152. Estimated Cost \$110,000.00.
10. No. PW013117-03 – Authorize Staff to Advertise for Bids Red Rock Booster Pump Station Upgrades, Project No. 14-2177, CIP # 50812.B. Estimated Cost: \$1,200,000.00.
11. No. PW013117-04 – Authorize Staff to Advertise for Bids East Rapid Water Expansion Valley View and Radar Hill Road North Extensions, Project No. 14-2197 / CIP No. 50964.E. Estimated Cost: \$950,000.00.
12. No. PW013117-05 – Authorize Staff to Advertise for Bids East Rapid Water Expansion Morris Lane Pressure Reducing Valve (PRV) Facility, Project No. 14-2195 / CIP No. 50964.C. Estimated Cost: \$530,000.00.
13. No. PW013117-06 – Authorize Mayor and Finance Officer to Sign Joint Funding Agreement between U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for 2017 Water Resource Investigations to include the operation and maintenance of selected gaging stations and for various hydrologic investigations.
14. No. PW013117-07 – Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and Upper Deck Architects for Professional Services for Fire Station 5 Improvements, Project No. 17-2073 / CIP No. 51158, in the amount of \$52,800.00.
15. No. PW013117-08 – Authorize Mayor and Finance Officer to Sign Amendment No. 3 to the Agreement between the City of Rapid City and HDR Inc. for Southside Drive Sanitary Sewer Extension, Project No. 14-2095 / CIP No. 50328, in the amount of \$21,547.00.
16. No. PW013117-09 – Authorize Mayor and Finance Officer to Sign Construction Professional Services agreement between City of Rapid City and Ferber Engineering Company, Inc. for West Omaha Drainage and Utility Improvements – Mountain View Road to 11th Street, Project No. 15-2316 / CIP No. 50904.1, in the amount of \$359,105.00.
17. No. PW013117-10 – Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Jenner, LLC for Tatanka Road Water Main Extension.
18. No. PW013117-11 – Approve Request for Stormwater Drainage Utility Fee Abatement for Diane Stephens for 2770 Enchanted Pines Drive, Tax ID 66392, in the amount of \$215.25 (2017).
19. No. PW013117-12 – Approve Acceptance of Infrastructure for Meadowlark Mobile Home Park Expansion Public Water Main - DEV13-1161.

20. No. PW013117-13 – Authorize Lowering the Percentage of Work that the General Contractor Must Perform from 50% to 35% for the WRF Potable Water Improvements, Project No. 15-2266 / CIP No. 51079.
21. No. PW013117-14 – Approve One-time Waiver of New Account Fees for New Garbage-only Accounts for Mobile Home Park Residents Following Tyler Utility Billing Conversion.
22. No. PW013117-16 – Approve acceptance of water system transferred from Countryside Homeowners Association, Inc. pursuant to 2014 annexation agreement.
23. No. PW013117-17 – Authorize Staff to Submit a Grant Application to the Rapid City Area MPO/SDDOT Transit and accept funds if awarded.
24. No. PW013117-18 – Approve extending contract bid to Pete Lien & Sons, Inc. for Ice Sanding Materials for the 2017 calendar year.
25. No. PW013117-19 – Authorize Staff to Purchase Two (2) New Current Model Year, ½ Ton 4X4 Regular Cab Long Box Pickups off State Bid number 16998.
26. No. PW013117-20 – Authorize Staff to Purchase a 2017 Groundsmaster 4000 T4 AWD Mower with 3 Decks, Auto Reversing Fan, Air Ride Seat, Full 2 Yr. Warranty, Light Adaptor Kit and Road Light Kit from Midwest Turf with IPA Pricing in the Amount of \$61,807.00.
27. No. PW013117-01 – Authorize Staff to Advertise for Bids for WRF Potable Water Improvements, Project No. 15-2266 / CIP No. 51079. Estimated Cost: \$525,000.00.
28. No. PW013117-15 – Approve the Assessment Roll for Countryside Water System Conversion, Project No. 15-2257 / CIP No. 51086.

Legal & Finance Committee Consent Items

29. No. LF020117-04 – Confirm the Appointment of Daniel Kline to the Civic Center Board of Directors
30. No. LF020117-05 – Confirm the Appointment of Casey Martin to the Rapid City Library Board of Trustees
31. No. LF020117-08 – Confirm the Appointments of Steve Massopust, Heather Schopp, Melanie Barclay, Marti Nesland, Laura Hovey Neubert, Malik Dixon, Chad Ratigan, Kyle Kircher and Sammi Jo Kenzy to the Mayor’s Committee for People with Disabilities
32. No. LF020117-02 - Authorize Mayor and Finance Officer to Sign 48 month Agreement between Dakota Business Center and the Rapid City Fire Department for print/copy/scan/fax machine for Fire Stations 1, 3, 4, 5, 6, and 7
33. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Amy Carlson, Jack Dalle, Leslie Lysenko, Sally Anderson, Dan Kneip, Elnora Delirl
34. No. LF020117-01 – Acknowledge November 2016 Sales Tax Report
35. No. LF020117-03 – Acknowledge December 2016 General Fund Cash Balance Report
36. No. LF020117-06 – Authorize Mayor and Chief of Police to sign the 2017 Federal Equitable Sharing Agreement
37. No. LF020117-09 – Authorize Mayor and Finance Officer to Sign Memorandum of Understanding between the City of Rapid City and the FOP Retroactively Providing Holiday Pay for New Employees
38. No. LF020117-10 – Authorize Mayor and Finance Officer to Sign Memorandum of Understanding between the City of Rapid City and the FOP Providing Holiday Pay for New Employees
39. No. LF020117-11 – Authorize Mayor and Finance Officer to Sign Memorandum of Understanding between the City of Rapid City and AFSCME Providing Holiday Pay for New Employees
40. No. LF020117-13 – Authorize Mayor and Finance Officer to Sign Covenant Agreement with Merlin Stromer and Gloria Stromer Joint Living Trust
41. No. LF020117-07 – Acknowledge Human Relations Commission – Semi-Annual Update.

Community Planning & Development Services Department Consent Items (NONE)

Bid Award Consent Items

42. No. CC020617-02.1 – Approve award of Total Bid for Water Reclamation Cationic Sludge Polymer opened on January 31, 2017 to the lowest responsible bidder Polydyne, Inc. (SNF) in the amount of \$50,400.00.
43. No. CC020617-02.2 - Approve award of Total Bid for West Omaha Drainage & Utility Improvements, Mountain View Road to 11th Street, Project No. 15-2316 / CIP No. 50904.1 opened on January 31, 2017 to the lowest responsible bidder, Lind-Exco, Inc. in the amount of \$4,099,992.79.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 44 – 46

Open Public Comment – Items 44 – 46

Close Public Comment

Ordinances (NONE)

Community Planning & Development Services Department Items (NONE)

Legal & Finance Committee Items

44. No.LF020117-12 – Request from Bill Freytag and Ron Weifenbach to Adopt the Appearance of Fairness Doctrine for Quasi-Judicial Proceedings by Adding Section 2.04.130 to the Rapid City Municipal Code.
Recommendation: Take to Council without recommendation.
45. John Roberts - Discussion on Vision Funds.
Recommendation: Take to Council without recommendation.

Public Works Committee Items (NONE)

CIP Committee Items (NONE)

Other Board, Commission & Committee Items (NONE)

Bids (NONE)

Alcoholic Beverage License Applications

Reissuance

Special Event

Mayor's Items (NONE)

Council Items & Liaison Reports (NONE)

Staff Items (NONE)

Appeals

46. No. CC020617-04.1 – Snow Removal Appeal by Joshua Nicolaisen

PUBLIC HEARING ITEMS – Items 47 – 56

Open Public Hearing - Items 47 – 56

Close Public Hearing - Items 47 – 56

CONSENT PUBLIC HEARING ITEMS – Item 47 – 51

Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

47. Pennington County Democratic Party for a SPECIAL EVENT Wine License for an Event Scheduled for February 10, 2017 at Prairie Edge, 606 Main Street
48. Lawrence Adams, Rumours Inc. DBA LMN LLC, DBA Pure Bean SW, 5509 Bendt Drive Ste. 305 for a Retail (on-off sale) Wine and Retail (on-off sale) Malt Beverage TRANSFER from Rumours Inc. DBA Rumours, 5509 Bendt Drive Ste. 305
49. K & P, LLC DBA Hay Camp Brewing Co., 601 Kansas City Street for a Retail (on-off sale) Malt Beverage TRANSFER from K & P LLC DBA Hay Camp Brewing Company, 201 Main Street Suite 109
50. K & P, LLC DBA Hay Camp Brewing Co., 601 Kansas City Street for a Retail (on-off sale) Wine License
51. Youth & Family Services, Inc. for a SPECIAL EVENT Malt Beverage and Wine License for an Event scheduled for February 24-25, 2017 at 120 E Adams Street

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 52 – 56

52. No. 16TI005 – Approve Resolution 2016-104 - A request by Doyle Estes and Kathy Johnson for a **Resolution approving Revision #2 Project Plan Reallocating Project Costs for Tax Increment District No.38** for property generally described as being located in the southeast quadrant of Elk Vale Road and Interstate 90.
Recommendation: Approve
53. No. 16TI006 – Approve Resolution 2016-105 - A request by City of Rapid City for a **Resolution Reallocation of Project Costs for Tax Increment District No. 64** for property generally described as being located northeast of the intersection of Interstate 90 and Dyess Avenue.
Recommendation: Approve
54. No. 16RZ034 - Second Reading, Ordinance 6154, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Steve Wynia for a **Rezoning from General Commercial District to Light Industrial District** for property generally described as being located at 1300 E. Centre Street.
Recommendation: Approve
55. No. 16RZ035 - Second Reading, Ordinance 6155, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design

Solutions for A and J Meier LLC for a **Rezoning from General Agricultural District to Light Industrial District** for property generally described as being located at the northwest terminus of Seger Drive between Dyess Avenue and Elk Vale Road.

Recommendation: Approve

56. No. 16PD058 – Appeal of Planning Commission's decision of a request by Neighbor Works Dakota Home Resources for Dakota Land Trust for a Final Planned Development Overlay to Create a townhome development for property generally described as being located at 612 Dilger Avenue.

Recommendation: Planning Commission approved with stipulations.

BILLS

57. No. CC020617-01 – Bill List for February 6, 2017

ADJOURN